

IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA

JAMES O. STRUTHERS, Indi-
vidually, and as Administrator
of the Estate of ALICIA
STRUTHERS, deceased,

Plaintiff,

v.

CV 06-0026

MERCK & CO., INC., a foreign
Corporation; ANNE BRANDON,
an individual; LAMONDE
RUSSELL, an individual; and
fictitious defendants, et al, etc.,

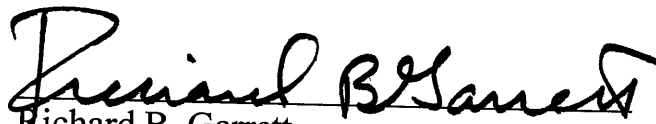
Defendants.

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NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Merck & Co., Inc. has this date filed its
Notice of Removal in the Office of the Clerk of the United States District Court for
the Middle District of Alabama, Northern Division, a copy of which is attached
hereto as **Exhibit A**.

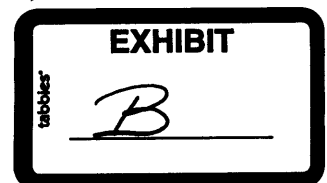
Respectfully submitted this the 9th day of February, 2006.


Richard B. Garrett

Bar Number: (ASB-0782-A29R)

Mike Brock

Bar Number: (ASB-5280-B61R)



F. Chadwick Morriss
Bar Number: (ASB-8504-S75F)

RUSHTON, STAKELY, JOHNSTON
& GARRETT, P.A.
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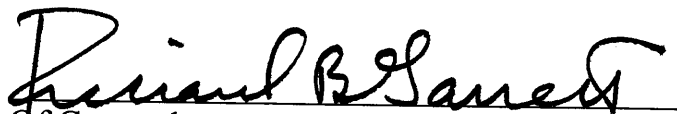
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon:

Andy D. Birchfield, Esquire
J. Paul Sizemore, Esquire
Beasley, Allen, Crown,
Methvin, Portis & Miles, P. C.
P. O. Box 4160
Montgomery, Alabama 36103-4160

by placing same in the United States mail, postage prepaid, this the 9th day
of February, 2006.


Of Counsel